



1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY BLU SOUTH LLC (THE "PETITIONER") TO ACCOMMODATE A MULTI-USE DEVELOPMENT ON THAT APPROXIMATELY 36.732 ACRE SITE LOCATED ON EAST WESTINGHOUSE BOULEVARD, BLU CENTRAL ROAD AND AILEEN CIRCLE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 205-112-25, 205-112-24, 205-112-01, 205-116-99 AND 205-112-19.

2. FOR ENTITLEMENT PURPOSES, THE SITE IS DIVIDED INTO FOUR SEPARATE DEVELOPMENT AREAS THAT ARE DESIGNATED ON THE REZONING PLAN AS DEVELOPMENT AREA 1, DEVELOPMENT AREA 2, DEVELOPMENT AREA 3 AND DEVELOPMENT AREA 4. ANY REFERENCE HEREIN TO THE SITE SHALL BE DEEMED TO INCLUDE DEVELOPMENT AREA 1, DEVELOPMENT AREA 2, DEVELOPMENT AREA 3 AND DEVELOPMENT AREA 4 UNLESS OTHERWISE NOTED

3. THE DEVELOPMENT AND USE OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").

4. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-C ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT

5. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THOSE PORTIONS OF THE SITE DESIGNATED AS DEVELOPMENT AREA 2, DEVELOPMENT AREA 3 AND DEVELOPMENT AREA 4.

6. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE LAYOUT, LOCATIONS AND SIZES OF THE USES, IMPROVEMENTS AND SIZE ELEMENTS DEPICTED ON THE REZONING SITE PLAN AS WELL AS THE INTERNAL STREETS, ALLEYS, DRIVES AND PARKING AREAS ARE SCHEMATIC IN NATURE AND, SUBJECT TO THE TERMS OF THESE DEVELOPMENT STANDARDS AND THE ORDINANCE, ARE SUBJECT TO MINOR ALTERATIONS OR MODIFICATIONS DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES.

7. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 6.207 OF THE ORDINANCE.

### 1. DEVELOPMENT AREA 1

(a) SUBJECT TO THE LIMITATIONS SET OUT HEREIN, THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA 1 MAY ONLY BE DEVOTED TO THE USES SET OUT BELOW, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE UR-C ZONING DISTRICT.

(1) INDOOR RECREATION, INCLUDING, WITHOUT LIMITATION, A FITNESS CENTER.

(2) OUTDOOR RECREATION, INCLUDING, WITHOUT LIMITATION, A SWIMMING POOL, PUTTING GREENS AND SPORT COURTS.

(3) OFFICE USES, INCLUDING RESIDENTIAL SALES AND LEASING OFFICES.

(5) MOBILE FOOD VENDING SERVICE.

(6) OUTDOOR FRESH PRODUCE STANDS AND MOBILE PRODUCE MARKET.

(7) BICYCLE SHARING STATION AND SERVICE.

(b) DEVELOPMENT AREA 1 MAY CONTAIN A MAXIMUM OF FOUR PRINCIPAL BUILDINGS.

(c) A TOTAL MAXIMUM OF 24,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED AND LOCATED ON DEVELOPMENT AREA 1.

# 2. DEVELOPMENT AREA 2

(a) THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA 2 ON THE REZONING PLAN MAY ONLY BE DEVOTED TO SINGLE FAMILY ATTACHED DWELLING UNITS, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE UR-2 ZONING DISTRICT.

(b) A MAXIMUM OF 133 SINGLE FAMILY ATTACHED DWELLING UNITS MAY BE DEVELOPED AND LOCATED ON DEVELOPMENT AREA 2.

### 3. DEVELOPMENT AREA 3

(a) THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA 3 ON THE REZONING PLAN MAY ONLY BE DEVOTED TO SINGLE FAMILY DUPLEX DWELLING UNITS, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN

THE UR-2 ZONING DISTRICT.

(b) A MAXIMUM OF 80 SINGLE FAMILY DUPLEX DWELLING UNITS LOCATED IN 40 DUPLEX BUILDINGS MAY BE DEVELOPED AND LOCATED ON DEVELOPMENT AREA 3.

### (4) DEVELOPMENT AREA 4

(a) THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA 4 ON THE REZONING PLAN MAY ONLY BE DEVOTED TO ONE OF THE USES SET OUT BELOW, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE UR-2 ZONING DISTRICT.

### (1) RELIGIOUS INSTITUTION.

(2) A MAXIMUM OF 20 SINGLE FAMILY DUPLEX DWELLING UNITS LOCATED IN 10 DUPLEX BUILDINGS.

FOR ALL PURPOSES HEREIN, PETITIONER MAY BUILD IN DEVELOPMENT AREA 3 AND DEVELOPMENT AREA 4 SINGLE FAMILY ATTACHED DWELLING UNITS WITH A MAXIMUM OF TWO SINGLE FAMILY ATTACHED DWELLING UNITS PER BUILDING IN LIEU OF SINGLE FAMILY DUPLEX DWELLING UNITS. THE MAXIMUM DENSITY ALLOWED IN DEVELOPMENT AREA 3 AND DEVELOPMENT AREA 4 WOULD BE AS SET FORTH ABOVE.

1. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT")

2. THE SITE WILL BE SERVED BY INTERNAL PUBLIC STREETS AND INTERNAL PRIVATE ALLEYS AS SHOWN ON THE REZONING PLAN. THE ALIGNMENTS AND CONFIGURATIONS OF THE INTERNAL PUBLIC STREETS AND INTERNAL PRIVATE ALLEYS MAY BE MODIFIED BY PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, LOT LOCATIONS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT.

3. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES.

4. PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED, AND THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW SINGLE FAMILY DUPLEX DWELLING UNIT CONSTRUCTED ON THE SITE. PETITIONER WILL PROVIDE A PERMANENT SIDEWALK EASEMENT FOR ANY OF THE PROPOSED SIDEWALKS LOCATED ALONG THE PUBLIC STREETS LOCATED OUTSIDE OF THE RIGHT-OF-WAY. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.

5. ALL TRANSPORTATION IMPROVEMENTS SET OUT IN THIS SECTION C OF THE DEVELOPMENT STANDARDS SHALL BE CONSTRUCTED AND APPROVED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW SINGLE FAMILY DUPLEX DWELLING UNIT CONSTRUCTED ON THE SITE.

6. ALL PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCDOT AS APPLICABLE. TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE BROAD SOUTHWESTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

7. SUBJECT TO THE APPROVAL OF CDOT AND ANY OTHER GOVERNMENTAL AGENCIES, PETITIONER SHALL, PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR A NEW SINGLE FAMILY DUPLEX DWELLING UNIT CONSTRUCTED ON THE SITE, CONSTRUCT AN ADA COMPLIANT BUS WAITING PAD PER LAND DEVELOPMENT STANDARD 60.01B ON THE SITE'S FRONTAGE ON EAST WESTINGHOUSE BOULEVARD. THE EXACT LOCATION OF THE WAITING PAD SHALL BE DETERMINED DURING THE SITE DESIGN AND PERMITTING PROCESS, AND THE WAITING PAD SHALL BE LOCATED ENTIRELY WITHIN RIGHT OF WAY. IN THE EVENT THAT PETITIONER CANNOT OBTAIN ALL APPROVALS AND PERMITS REQUIRED TO CONSTRUCT THE WAITING PAD, THEN PETITIONER SHALL HAVE NO OBLIGATION TO CONSTRUCT THE WAITING PAD. CATS SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF A BENCH OR SHELTER ON THE WAITING PAD.

8. A VEHICULAR CONNECTION TO THE WESTERN END OF AILEEN COURT AND A VEHICULAR CONNECTION TO STERLING LANE WILL NOT BE REQUIRED.

1. THE MAXIMUM HEIGHT OF ANY BUILDING LOCATED ON DEVELOPMENT AREA 1 SHALL BE 40 FEET.

2. THE MAXIMUM HEIGHT OF THE SINGLE FAMILY ATTACHED DWELLING UNITS LOCATED ON DEVELOPMENT AREA 2 SHALL BE 40 FEET.

3. THE MAXIMUM HEIGHT OF THE SINGLE FAMILY DUPLEX DWELLING UNITS LOCATED ON DEVELOPMENT AREA 3 SHALL BE 40 FEET 4. THE MAXIMUM HEIGHT OF ANY SINGLE FAMILY DUPLEX DWELLING UNITS LOCATED ON DEVELOPMENT AREA 4 SHALL BE 40 FEET.

# STREETSCAPE AND BUFFERS

1. PETITIONER SHALL INSTALL A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 12 FOOT WIDE MULTI-USE PATH ALONG THE SITE'S FRONTAGE ON EAST WESTINGHOUSE BOULEVARD. PETITIONER CAN EXPAND THE EXISTING SIDEWALK TO MEET THIS REQUIREMENT.

2. A MINIMUM 15 FOOT WIDE LANDSCAPE AREA PLANTED TO THE STANDARDS OF A CLASS C BUFFER WITH A 6 FOOT TALL WOODEN SCREEN FENCE SHALL BE INSTALLED ALONG THE WESTERN BOUNDARY LINE OF DEVELOPMENT AREA 1 AS DEPICTED ON THE REZONING PLAN. 3. A MINIMUM 15 FOOT WIDE LANDSCAPE AREA PLANTED TO THE STANDARDS OF A CLASS C BUFFER WITH A 6 FOOT TALL WOODEN SCREEN FENCE SHALL

BE INSTALLED ALONG A PORTION OF THE SOUTHERN BOUNDARY LINE OF DEVELOPMENT AREA 1 AS DEPICTED ON THE REZONING PLAN. 4. A MINIMUM 30 FOOT WIDE LANDSCAPE AREA PLANTED TO THE STANDARDS OF A CLASS C BUFFER WITH A 6 FOOT TALL WOODEN SCREEN FENCE SHALL BE INSTALLED ALONG A PORTION OF THE EASTERN BOUNDARY LINE OF DEVELOPMENT AREA 2 AS DEPICTED ON THE REZONING PLAN. AS SHOWN ON THE REZONING PLAN, A MINIMUM 10 FOOT WIDE SIDEWALK SHALL BE INSTALLED AND LOCATED WITHIN THIS LANDSCAPE AREA.

5. A MINIMUM 25 FOOT WIDE LANDSCAPE AREA PLANTED TO THE STANDARDS OF A CLASS C BUFFER WITH A 6 FOOT TALL WOODEN SCREEN FENCE SHALL BE INSTALLED ALONG A PORTION OF THE SOUTHERN BOUNDARY LINE OF DEVELOPMENT AREA 2 AS DEPICTED ON THE REZONING PLAN.

6. A MINIMUM 15 FOOT WIDE LANDSCAPE AREA PLANTED TO THE STANDARDS OF A CLASS C BUFFER WITH A 6 FOOT TALL WOODEN SCREEN FENCE SHALL BE INSTALLED ALONG A PORTION OF THE EASTERN BOUNDARY LINE OF DEVELOPMENT AREA 2 AND A PORTION OF THE EASTERN BOUNDARY LINE OF DEVELOPMENT AREA 3 AS DEPICTED ON THE REZONING PLAN.

1. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

2. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS. 3. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE TREE ORDINANCE.

4. SOLID WASTE DISPOSAL SHALL COMPLY WITH THE CITY CODE.

1. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW DWELLING UNIT CONSTRUCTED ON DEVELOPMENT AREA 3, PETITIONER SHALL GRANT A 60 FOOT WIDE PERPETUAL, NON-EXCLUSIVE EASEMENT TO MECKLENBURG COUNTY (THE "**EASEMENT**") WITHIN THAT PORTION OF THE OPEN SPACE AREA DEPICTED ON THE REZONING PLAN. THE PURPOSE OF THE EASEMENT IS TO ACCOMMODATE A FUTURE ACCESS TRAIL TO THE KINGS BRANCH GREENWAY LOCATED TO THE WEST OF THE SITE FROM THE INTERNAL PUBLIC STREET DESIGNATED AS BLU CENTRAL ROAD TO BE CONSTRUCTED AND MAINTAINED BY MECKLENBURG COUNTY.

2. THE TREES LOCATED WITHIN THE EASEMENT SHALL COUNT TOWARDS THE SITE'S MINIMUM TREE SAVE REQUIREMENTS, AND THE EASEMENT SHALL COUNT TOWARDS THE SITE'S REQUIRED OPEN SPACE.

## BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

1. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS

2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE

INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF. 3. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.

J SOUTH - REZONING - RZP-2021-174	E
PIN # 20511201, 20511224, 20511225	20 GRAPHIC SRAPHIC
901 STERLING LN, PINEVILLE, NC 28134	40 C SCA
	- FC ATI
VELOPAKENIT ABEA 1 & A AND NOTEC	328.40FI
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# REVISIONS:

1 - 2021/12/13 - 1ST CITY REVIEW

DATE: 06/25/2021	DRAWN BY: DL
SHEET 2	<b>4</b>



